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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

CHASOM BROWN, WILLIAM BYATT,
 JEREMY DAVIS, CHRISTOPHER CASTILLO,
 and MONIQUE TRUJILLO, individually and on
 behalf of all other similarly situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

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Case No.: 4:20-cv-03664-YGR-SVK

**JOINT STIPULATION RE:
 PLAINTIFFS' REQUEST TO COMPEL
 LIVE TESTIMONY FROM MS.
 BORSAY AND MR. HALAVATI AT
 TRIAL**

Judge: Hon. Yvonne Gonzalez Rogers

Trial Date: January 29, 2024

1 Pursuant to Civil Local Rule 7-12, this joint stipulation is entered into between Plaintiffs and
2 Google LLC (“Google”), collectively referred to as the “Parties.”

3 WHEREAS, at the Pretrial Conference on November 29, 2023, the Parties informed the
4 Court of a dispute as to whether Google could or should be compelled to make Ms. Sabine Borsay—
5 a current Google employee who is a German citizen and resides in Germany—available to testify
6 live at trial. *See* PTC Tr. 29:10–30:20.

7 WHEREAS, at the Pretrial Conference, the Parties also informed the Court of a similar
8 dispute as to whether Google could or should be compelled to make Mr. Ramin Halavati—a current
9 Google employee who is a non-U.S. citizen and resides in Germany—available to testify live at trial.
10 *See* PTC Tr. 31:7–32:5.

11 WHEREAS, on December 4, 2023, the Court issued Pretrial Order No. 1, directing the
12 Parties to “provide briefing not to exceed three pages with respect to the appearance of witnesses
13 Sabine Borsay and Ramin Halavati” and travel information for both witnesses. Dkt. 1076 ¶ 7.

14 WHEREAS, at the Pretrial Conference, Plaintiffs declined the Court’s invitation to brief the
15 issue of whether Google should be compelled to make Mr. Ramin Halavati available to testify live
16 at trial and agreed to withdraw their request that he testify live. *See* PTC Tr. 32:18–20.

17 WHEREAS, in the interest of conserving judicial resources and resolving pretrial disputes
18 without Court involvement, Plaintiffs and Google agree that Ms. Sabine Borsay will not testify live
19 at trial.

20 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the Parties as
21 follows:

22 1. Plaintiffs will withdraw their request that the Court compel Google to make Mr. Ramin
23 Halavati or Ms. Sabine Borsay available to testify live at trial.

24 2. The Parties accordingly agree not to file briefing on whether Google can or should be
25 compelled to make Mr. Ramin Halavati and/or Ms. Sabine Borsay available to testify live at trial,
26 whether in person or remotely, or submit the travel information for those witnesses ordered in
27 connection with that briefing.

3. The Parties reserve all other rights with respect to these witnesses.

Dated: December 12, 2023

BOIES SCHILLER FLEXNER LLP

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/s/ Andrew H. Schapiro

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Attorneys for Defendant Google LLC

ATTESTATION OF CONCURRENCE

I, Mark Mao, am the ECF user whose ID and password are being used to file JOINT STIPULATION RE: CERTAIN REFERENCES TO INCOGNITO AND TWO PLAINTIFFS' BACKGROUNDS. Pursuant to Civil L.R. 5-1(i)(3), I hereby attest that each of the signatories identified above has concurred in the filing of this document.

Dated: December 12, 2023

By /s/ Mark C. Mao

Mark C. Mao

Counsel on behalf of Plaintiffs

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHASOM BROWN, WILLIAM BYATT,
JEREMY DAVIS, CHRISTOPHER CASTILLO,
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behalf of all other similarly situated,

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v.

GOOGLE LLC,

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Case No.: 4:20-cv-03664-YGR-SVK

**JOINT STIPULATION AND
[PROPOSED] ORDER ENTERING
STIPULATION**

Judge: Hon. Yvonne Gonzalez Rogers

Trial Date: January 29, 2024

[PROPOSED] ORDER

Pursuant to stipulation of the Parties, the Court hereby **ENTERS** the stipulation.

DATED: _____

HON. YVONNE GONZALEZ ROGERS
United States District Judge